

**United States Government**  
**NATIONAL LABOR RELATIONS BOARD**  
Region 18  
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Minneapolis, MN 55401-2221

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[www.nlr.gov](http://www.nlr.gov)

November 23, 2005

Gaylon Vande Zande  
RR1 Box 19E  
Peterson, MN 55962

Re: Badger Construction Equipment  
Case 18-UD-220

Dear Mr. Vande Zande:

The above-captioned case, arising from a petition filed pursuant to Section 9(c) of the National Labor Relations Act, as amended, has been carefully investigated and considered.

As a result of the investigation, it appears that further proceedings are not warranted at this time. The investigation revealed that you filed the petition on November 16, 2005. A Board agent left you a message that day that both the petition and showing of interest must contain original signatures, rather than photocopies, and that the originals must be sent immediately. You did not respond and the following day two letters were sent to you from our office. One letter stated that you had 48 hours to submit the appropriate showing of interest. The second detailed each of the problems with the petition, including the fact that the showing of interest indicated that the employees wished to *decertify* rather than deauthorize the Union as the petition indicated, and provided information on how to correct the problems. To date, you have not submitted either a corrected petition or a corrected showing of interest. Accordingly, further proceedings are not warranted, and I am dismissing the petition.

Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, 1099 – 14<sup>th</sup> Street N.W., Washington, DC 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, DC by the close of business on **December 7, 2005 at 5:00 p.m. Eastern Time**. You should be advised that Section 102.114 of the Board's Rules and Regulations precludes acceptance of a request for review by facsimile transmission. Upon good cause shown, however, the Board may grant special permission for a longer period

within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, DC, and a copy of any such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail.

In the Regional Office's initial correspondence, the parties were advised that the National Labor Relations Board has expanded the list of permissible documents that may be electronically filed with the Board in Washington, DC. If a party wishes to file one of these documents electronically, please refer to the Attachment supplied with the Regional Office's initial correspondence for guidance in doing so. The guidance can also be found under "E-Gov" on the National Labor Relations Board web site: [www.nlr.gov](http://www.nlr.gov).

Very truly yours,

/s/ Marlin O. Osthus

Marlin O. Osthus  
Acting Regional Director

MOO/ob  
Enc.  
cc:

Office of the Executive Secretary  
National Labor Relations Board  
1099 14<sup>th</sup> Street NW  
Washington, DC 20570-0001

Badger Construction Equipment  
Airport Industrial Park  
P.O. Box 798  
Winona, MN 55987

United Auto Workers  
1123 Roam Drive  
Apple Valley, MN 55124